

REMARKS

In response to the April 5, 2006 Final Office Action, applicant's submit amendments to claims 17 and 25 and have canceled claim 18.

Applicants request clarification regarding the Examiner's rejection of claim 20 which has up to this point been withdrawn from further consideration. Until clarified, applicants have presented a current set of claims indicating the status consistent with the Examiner's Office Action Summary.

Claims 17, 18, 20-26, 28 and 33-35 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5,806,116. To further clarify the invention, applicants have amended independent claims 17 and 25. Support for the amendments can be found on page 8, lines 8-14 of the specification and in Figure 10. In addition, applicants have amended claim 17 to include the limitation found in claim 18. Claim 17 now includes specific positioning features. Claim 18 has been canceled.

Each of the rejected claims in this grouping require at least one positioning feature on a first side of the patient support device asymmetrically spaced from at least one positioning feature on a second side. The present specification clearly defines and spells out the configuration of asymmetric spacing as well as the functionality. For example, on page 8, lines 8-14 applicants teach that asymmetric spacing results in a positioning feature on one side of the device with the directly opposing side area free of a positioning feature. Furthermore, asymmetric spacing enables a more secure attachment of an accessory device adaptor or a more secure attachment of the accessory itself. In addition to the specification, Figure 10 clearly shows the asymmetric spacing of the present invention. (See also, page 3, lines 21-22 and page 5, lines 1-3).

Oliver '116 does not teach disclose or suggest the present invention and clearly shows symmetric spacing of positioning features because a second positioning feature is directly opposing the first positioning feature. Thus, the rejection should be withdrawn.

In a similar vein, claims 17, 19, 21, 22, 25, 27, 29, 30 and 33 have been rejected under 35 U.S.C. 102(b) as anticipated by WIPO Publication WO 01/35828. The WIPO publication is presented in German and corresponds to U.S. Patent 6,769,145 to Pfeuffer, et al. Applicants respectfully disagree with the Examiner's characterization of Figures 1 and 4 of the reference.

As discussed above, applicants teach that asymmetric spacing results in a positioning feature on one side of the device with the directly opposing side area free of a positioning feature. WIPO '828, on the other hand, does not teach positioning features at all but teaches a patient support surface 10 connected to the head 12 of a support column 14. The support

surface 10 consists of a table plate 16 and a guide unit 18, which includes an upper guide housing 20 and a lower guide housing 22. The table plate 16 is slidably guided in the upper guide housing 20 in its longitudinal direction. Not only does WIPO '828 fail to teach positioning features but it fails to teach asymmetric spacing that includes a positioning feature on one side of the device with the directly opposing side area free of a positioning feature, as disclosed and claimed in the present invention. As every claim rejected requires asymmetric spacing of positioning features, the rejection should be withdrawn.

Claims 17, 21 and 25, 26 and 28 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Design Patent 355,988 to Brooking. Brooking teaches an ornamental design for a stackable/nestable bed. The Examiner interprets the stackable bed as disclosing asymmetric spacing of positioning features. Applicants respectfully disagree.

As discussed above, the present invention specifically discloses and claims asymmetric spacing of positioning features. Asymmetric spacing results in a positioning feature on one side of the device with the directly opposing side area free of a positioning feature. Brooking simply does not teach, disclose or suggest such an arrangement and the rejection should be withdrawn.

The final rejection consists of a rejection of claims 17-19, 21-26, 28-30, 33-35 and 41-46 under 35 U.S.C. 103(a) as unpatentable over WIPO '828 in view of Oliver '116. As discussed previously, both WIPO '828 and Oliver '116 do not teach, disclose or suggest the asymmetric spacing of the present invention. Furthermore, WIPO '828 or Oliver '116 do not teach, disclose or suggest an integral indexing means, that is an indexing groove, incorporated into at least one surface of the patient support device. Nor do these references, alone or in combination, teach the present indexing groove with the top surface of the device extending laterally beyond at least one sidewall, thereby forming a lip.

Since these references fail to teach essential portions of the present invention, the combination of the two references cannot cure the deficiencies. Therefore, the rejection should be withdrawn.

In view of the above amendments and remarks, Claims 17-19, 21-26, 28-30, 33-35 and 41-46 are considered to represent a novel and unobvious advance in the art. Prompt issuance of a Notice of Allowance for these claims is in order and such action is requested. If any issues remain outstanding, the Examiner is urged to contact the undersigned agent to expedite their resolution.

Respectfully submitted,



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